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Attorneys for Plaintiff
 United States of America

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Tackle, apparel, furnishings, spares, tools,
 equipment and certain other appurtenances
 of the SS INDEPENDENCE (O.N. 261147),
in rem,

Defendant.

Civil No.: CV07-6162 BZ

AT LAW AND IN ADMIRALTY

DECLARATION OF HENRY D.
 RYAN IN SUPPORT OF
 PLAINTIFF'S APPLICATION FOR
APPOINTMENT OF SUBSTITUTE
CUSTODIAN

)

I, Henry D. Ryan, hereby declare as follows:

1. I am the Ship Operations and Maintenance Officer, Division of Pacific Operations, United States Department of Transportation, Maritime Administration ("Marad"), and in that capacity the proposed substitute custodian for the defendant vessel tackle, appurtenances, etc., in the above captioned case.

2. I am authorized on behalf of Marad to execute this declaration on its behalf.

3. My business address and telephone number are, respectively, 201 Mission, Suite 1800, San Francisco, California, 94105, and (415)744-2577.

4. The defendant vessel tackle, appurtenances, etc., are currently located at the Marad warehouse in Alameda, California and in a safe in my office in San Francisco, California.

5. At the request of Marad, I have already been acting as custodian of the aforesaid items. I and my staff are experienced in the custodial duties attendant to acting as substitute custodian for these items.

6. As the proposed substitute custodian for the defendant vessel tackle, appurtenances, etc., in lieu and in place of the United States Marshal for this District, and in my official capacity, I will provide custodian services for these items pursuant to the terms of the Order(s) of this Court pertaining to the provision of such services.

7. As the proposed substitute custodian and in my official capacity, I have available and will provide adequate facilities and supervision for the defendant vessel tackle, appurtenances, etc., during custodianship: take custody of the items from the United States Marshal; periodically inspect said items; and maintain said items where I and those authorized by me can keep them under surveillance and

prevent unauthorized persons from obtaining access to them.

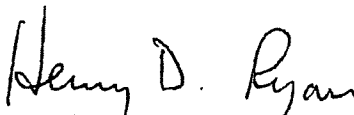
8. The expenses for the aforesaid services are expected to be minimal, but are in addition to the cost of conducting an inventory of said items.

9. I have agreed to accept the substitute custodianship of the vessel in my official capacity in accordance with an Order of this Court appointing me substitute custodian.

10. I have agreed that during custodianship of the defendant vessel tackle, appurtenances, etc., I will not permit changes to or alterations in said items without an Order from the Court.

I verify under penalty of perjury, and in accordance with 28 U.S.C. § 1746, that the foregoing is true and correct.

Executed this 6th day of MARCH 2008.


Henry Ryan

PRESENTED BY:

Dated: March 7, 2008

JEFFREY S. BUCHOLTZ
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SCOTT N. SCHOOLS
United States Attorney
R. MICHAEL UNDERHILL
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s/Jeanne M. Franken

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